



ARKANSAS JUDICIARY

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Arkansas Supreme Court



Arkansas became the 25th state of the United States in 1836. Under the state's first constitution, the Arkansas Supreme Court was composed of three justices including one Chief

Justice. The Arkansas General Assembly elected the members of the Court. Daniel Ringo, Townsend Dickinson, and Thomas J. Lacy were selected to serve as the first Arkansas Supreme Court justices. Mr. Ringo became the first Chief Justice.

The state's current constitution, ratified in 1874, provided for three Arkansas Supreme Court judges. The Arkansas Constitution of 1874 was amended in 1924 to provide for five Arkansas Supreme Court judges. Amendment 9 also allowed the Arkansas General Assembly to increase the number to seven judges, which it did by Act 205 of 1925.

The jurisdiction and power of the Arkansas Supreme Court is controlled by Amendment 80, §2 of the Arkansas Constitution. Under this section, the Arkansas Supreme Court generally has only appellate jurisdiction, meaning it typically hears cases that are appealed from trial courts. The Arkansas Supreme Court also has general superintending control over all courts of the state. The judicial article of the Arkansas Constitution was rewritten by Amendment 80. See the Amendment 80 page ^[1] for more information.

The Arkansas Supreme Court's appellate jurisdiction is described by its Rule 1-2 ^[2]. Any case is subject to reassignment or transfer by the Arkansas Supreme Court. *Id.* at (b), (d). The Arkansas Court of Appeals may seek to transfer a case to the Arkansas Supreme Court, upon requisite certification. *Id.* at (d). Special proceedings before the Arkansas Supreme Court are described in Article VI ^[3] of its rules. Amendment 28 to the Arkansas Constitution, adopted in 1938, vests the Arkansas Supreme Court with the power to make rules regulating the practice of law and the professional conduct of attorneys at law.

Section 16 of Amendment 80 describes the qualifications for an Arkansas Supreme Court justice:

- A justice of the Supreme Court shall be a licensed attorney for at least eight years immediately preceding the date of assuming office.
- The justices of the Supreme Court shall be elected by the qualified electors of the State and shall serve eight-year terms.

The seven Arkansas Supreme Court justices are elected in state-wide non-partisan races, and serve staggered terms, such that it is unlikely all members of the court would be replaced in one election. In the event a member of the court fails to serve his entire term of office, the vacancy shall be filled by appointment by the governor of Arkansas. Ark. Const., Amend. 29, §1. The appointee shall serve during the entire unexpired term in the office in which the vacancy occurs if such office would in regular course be filled at the next general election if no vacancy had occurred; otherwise, the appointee may serve until the first or second general election following appointment, depending upon the timing of that election. *Id.* at §4. No person appointed under Section 1 shall be eligible for appointment or election to succeed himself. *Id.* at §2.

All signed opinions of the Arkansas Supreme Court handed down after July 1, 2009 are designated for publication; meaning that each may be cited in briefs and other pleadings before the state's appellate courts. Ark. Sup. Ct. R. 5-2 ^[4] (opinions handed down prior to July 1, 2009 marked "not designated for publication" do not have precedential value and may not be cited as authority). The official version of the court's decisions handed down prior to February 14, 2009 may be found in the bound volumes of the *Arkansas Reports*. As of that date, the Arkansas Supreme Court became the first state court to designate the electronic

version?as opposed to a physical, published version?as the official version of its opinions. Those opinions may be accessed at the judiciary?s website ^[5] here. The slip opinion version of each decision will remain on the judiciary page until any editorial changes are made by the Reporter?s office and approved by the judge or justice who authored the opinion. Slip opinions are not to be considered the final decisions of the court. The final, official opinions of the court will be marked as such with the seal of the Arkansas Supreme Court. See the Reporter of Decisions? page ^[6] for more information about electronic publication and the new citation format.

For more information on the history of the courts, see the Arkansas Courts Historical Background ^[7] compiled by William B. Jones, Jr., Reporter of Decisions (1995-2006).

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Links:

[1] <https://courts.arkansas.gov/./sites/default/files/SJR-9.pdf>

[2] <https://courts.arkansas.gov/./content/rule-1-2-appellate-jurisdiction-supreme-court-and-court-appeals>

[3] <https://courts.arkansas.gov/./rules-and-administrative-orders/rules-of-the-supreme-court-and-court-of-appeals-of-the-state-of-arkansas>

[4] <https://courts.arkansas.gov/./content/rule-5-2-opinions>

[5] <https://courts.arkansas.gov/>

[6] <https://courts.arkansas.gov/supreme-court/reporter>

[7] <https://courts.arkansas.gov/./courts/supreme-court/historical-society/background>